United Nations A/C.3/72/L.6

General Assembly

Distr.: Limited
10 October 2017

Original: English

Seventy-second session
Third Committee
Agenda item 107
Crime prevention and criminal justice

Belarus and Central African Republic: draft resolution

Improving the coordination of efforts against trafficking in persons

The General Assembly,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development,

Reiterating its concern that, despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the grave challenges facing the international community, which also impairs the enjoyment of human rights and needs a more concerted collective and comprehensive international response,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons and to protect and assist victims, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,[1] which reaffirms the commitment by Member States to take immediate and effective measures to, inter alia, eradicate forced labour and end modern slavery and human trafficking,

Recalling the United Nations Convention against Transnational Organized Crime,[2] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[3] which provided the definition of the crime of trafficking in persons, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[4] and the

[1] Resolution 70/1.
[2] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[3] Ibid., vol. 2237, No. 39574.
[4] Ibid., vol. 2171, No. 27531.

Please recycle

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[5]

Taking note of the adoption of the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization, which recognizes that trafficking in persons for the purposes of forced or compulsory labour is the subject of growing international concern,

Recalling the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

Reaffirming that the Global Plan of Action was developed:

(a) To promote universal ratification of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons,

(b) To help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,

(c) To promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons,

(d) To promote a human rights-based, gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect its victims and prosecute its perpetrators,

(e) To raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society and the international and national mass media, and the public at large,

(f) To foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned,

Recalling its resolutions 61/180 of 20 December 2006, 64/178 of 18 December 2009, 67/190 of 20 December 2012, 68/192 of 18 December 2013 and 70/179 of 17 December 2015 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons,[6]

Recalling also Economic and Social Council resolution 2017/18 of 6 July 2017 on the implementation of the Global Plan of Action and previous Council resolutions on trafficking in persons,

Recalling further Human Rights Council resolution 32/3 of 30 June 2016, entitled "Trafficking in persons, especially women and children: protecting victims of trafficking and people at risk of trafficking, especially women and children in conflict and post-conflict situations", and other relevant resolutions of the Council on trafficking in persons,

Welcoming the adoption of the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons at the

[5] Ibid., vol. 266, No. 3822.

[6] Resolutions 55/67, 58/137, 59/166, 61/144, 63/156 and 63/194.

high-level meeting of the General Assembly held at United Nations Headquarters in New York on 27 and 28 September 2017,[7]

Taking note of the reference to preventing and countering trafficking in persons and the victim-oriented approach in the context of addressing trafficking in persons in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,[8]

Recalling the adoption of the New York Declaration for Refugees and Migrants[9] at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, held at United Nations Headquarters in New York on 19 September 2016, and the commitment by Member States to, inter alia, fully respect their obligations under international law, vigorously combat human trafficking and migrant smuggling with a view to their elimination, including through targeted measures to identify victims of human trafficking or those at risk of trafficking, prevent and combat trafficking in persons, provide support for the victims of human trafficking and work to prevent human trafficking among those affected by displacement,

Recognizing the important role of the Inter-Agency Coordination Group against Trafficking in Persons in fostering coordination and cooperation in the global fight against trafficking in persons, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Labour Organization, the International Organization for Migration, the United Nations Development Programme, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and other intergovernmental organizations, within their existing mandates,

Recognizing also that the Inter-Agency Coordination Group, within its mandate, contributes to the implementation of the Global Plan of Action, and taking note with appreciation of the activities of the United Nations Office on Drugs and Crime as coordinator of the Inter-Agency Coordination Group,

Emphasizing the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to Member States, upon their request, to implement the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations,

Recognizing the need to continue to foster a global partnership against trafficking in persons and the need to continue to work towards an enhanced comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

[7] Resolution 72/1.
[8] Resolution 70/174, annex.
[9] Resolution 71/1.

Recognizing also the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and of intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Stressing the need to protect victims of trafficking from being incarcerated and prosecuted even when States have inadequate or no formal procedures for their identification,

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing also that victims of trafficking are often subject to multiple forms of discrimination and violence, including on the grounds of gender, age, disability, ethnicity, culture and religion, as well as national or social origin, and that these forms of discrimination may themselves fuel trafficking in persons, and that women and children without nationality or without birth registration are particularly vulnerable to trafficking in persons,

Recognizing further how the rapid development of the Internet and other communication and entertainment technologies has generated new challenges for law enforcement cooperation across borders and at the national level to rescue victims and bring perpetrators to justice by increasing and facilitating the accessibility of pornography, and particularly child pornography, the proliferation of online advertising and other web-based services as vehicles used by traffickers,

Recognizing how the abuse, humiliation and exploitation to which victims of human trafficking are subjected are increased and aggravated by the use of the Internet and other communication and entertainment technologies by perpetrators of human trafficking, and how these media increase the number of perpetrators of these crimes on individual victims,

Stressing the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community, including by taking into account, where appropriate, the Recommended Principles and Guidelines on Human Rights and Human Trafficking[10] and the commentary thereon developed by the Office of the United Nations High Commissioner for Human Rights, as well as the Guidelines on the Protection of Child Victims of Trafficking developed by the United Nations Children's Fund,

Welcoming the efforts of Member States, United Nations agencies, international organizations, civil society organizations and the private sector to address the problem of trafficking in persons, including women and girls as the most vulnerable group, and encouraging them to further enhance their efforts and cooperation, including by sharing their knowledge and best practices as widely as possible,

Affirming that capacity-building is a very important component in combating trafficking in persons, and in this regard stressing the need to intensify international cooperation to combat trafficking in persons, as well as technical assistance for countries aimed at strengthening their ability to prevent all forms of trafficking, including supporting their development programmes,

[10] E/2002/68/Add.1.

Taking note of the Khartoum process and its Declaration adopted in Khartoum on 16 October 2014 during the Regional Ministerial Conference on Human Trafficking and Smuggling in the Horn of Africa, coordinated by the African Union, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, which aimed to strengthen national, regional and international cooperation and build capacities in the African countries to combat trafficking in persons and migrant smuggling,

Taking note also of the Second Work Plan to Combat Trafficking in Persons in the Western Hemisphere 2015-2018, adopted by States members of the Organization of American States at the Fourth Meeting of National Authorities on Trafficking in Persons, held on 4 and 5 December 2014 in Brasilia,

Recognizing that the Global Plan of Action and the establishment of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in compliance with the Global Plan of Action, aim at raising awareness of the situation of victims of human trafficking and at providing them with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations,

Reaffirming the importance of humanitarian, legal and financial aid to victims of trafficking in persons, including through governmental, intergovernmental and non-governmental organizations, including the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Taking note of the report of the Secretary-General,[11]

Taking note with appreciation of the reports of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children,

Recognizing that, in accordance with the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[2] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[3] taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

2. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons,[12] and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

[11] A/71/119.

[12] Resolution 64/293.

3. *Recalls* the holding of the high-level meetings of the General Assembly during its sixty-seventh session, from 13 to 15 May 2013, and during its seventy-second session, on 27 and 28 September 2017, to appraise the progress achieved in the implementation of the Global Plan of Action, which, inter alia, reiterated strong political will to step up efforts against trafficking in persons;

4. *Also recalls* its decision to designate 30 July as the World Day against Trafficking in Persons, to be observed annually, and, while welcoming events held by Member States, United Nations agencies, other international organizations and civil society at the international, regional and national levels to mark the World Day, *invites* all stakeholders to continue to observe the World Day in order to raise awareness of trafficking in persons and the situation of the victims of this crime and for the promotion and protection of their rights;

5. *Expresses support* for the activities of the United Nations Office on Drugs and Crime, reaffirms its request to the Secretary-General to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to make voluntary contributions to the Office for the purpose of providing assistance to Member States upon request;

6. *Encourages* the United Nations Office on Drugs and Crime to cooperate with relevant international organizations outside the United Nations system and to invite such organizations and interested Member States to participate, when appropriate, in the meetings of the Inter-Agency Coordination Group against Trafficking in Persons and to keep Member States informed of the schedule of and the progress made by the Inter-Agency Coordination Group;

7. *Takes note* of the consultative briefing for Member States hosted by the Inter-Agency Coordination Group in March 2017 at United Nations Headquarters on the work and priorities of the Inter-Agency Coordination Group in 2017 and beyond, and welcomes the participation of the Organization for Security and Cooperation in Europe in the briefing as the first regional organization to form a partnership with the Inter-Agency Coordination Group;

8. *Requests* the United Nations Office on Drugs and Crime, as coordinator of the Inter-Agency Coordination Group, to convene a meeting of the Inter-Agency Coordination Group at the level of principals in order to discuss the issues related to the coordination of activities, including in the context of the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons;

9. *Requests* the principals of the Inter-Agency Coordination Group member agencies, subsequent to the meeting of the Group at the level of principals, to hold briefings at their headquarters to inform their member States and other relevant partners about the outcome of the meeting;

10. *Invites* the United Nations Office on Drugs and Crime, in its capacity as coordinator of the Inter-Agency Coordination Group, and other relevant agencies of the United Nations system to continue their activities related to the implementation of relevant international instruments and the Global Plan of Action, and invites Member States and other international and bilateral donors to provide voluntary contributions to the Office for these purposes, in accordance with the policies, rules and procedures of the United Nations;

11. *Invites* Member States to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as family stress and instability, poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination and social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children;

12. *Calls upon* Member States, international organizations, civil society organizations and the private sector to increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons;

13. *Encourages* Member States to cooperate with the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, as well as with other relevant special procedures, including the Special Rapporteur of the Council on violence against women, its causes and consequences, the Special Representative of the Secretary-General on Violence against Children, the Special Rapporteur of the Council on the sale of children, child prostitution and child pornography and the Special Rapporteur of the Council on contemporary forms of slavery, including its causes and consequences;

14. *Calls upon* Member States to continue their efforts to criminalize trafficking in persons in all its forms, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, especially concerning children, and to condemn these practices and to investigate, prosecute and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

15. *Notes* the second consultative meeting on strengthening partnerships with national rapporteurs and relevant mechanisms on trafficking in persons, held in Bangkok on 21 and 22 May 2014, co-hosted by the United Nations Office on Drugs and Crime, the Special Rapporteur on trafficking in persons, especially women and children, and the Office of the United Nations High Commissioner for Human Rights, and the establishment of an informal network of such mechanisms located all over the world in order to address trafficking in persons in a consistent manner and to exchange information and best practices built on different national experiences, and requests the United Nations Office on Drugs and Crime to create a United Nations machinery on the national mechanisms to combat trafficking by collecting such information from the United Nations Member States through a relevant questionnaire;

16. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

17. Welcomes the publication in 2012, 2014 and 2016 of the *Global Report on Trafficking in Persons*, prepared by the United Nations Office on Drugs and Crime, looks forward to the next such report to be produced by the Office in 2018, pursuant to the Global Plan of Action, and encourages Member States to provide to the Office evidence-based data on patterns, forms and flows of trafficking in persons, including for the purpose of the removal of organs, and data and information on the proliferation of the use of the Internet and other communication and entertainment technologies by perpetrators of human trafficking, including through pornography, and particularly child pornography, online advertising and other web-based services, and other media, and best practices of law enforcement cooperation across borders and at the national level to rescue victims and bring perpetrators to justice;

18. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-fourth session.